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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/432,927	11/03/1999	JUNJI NISHIGAKI	15162/01250	1794

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EXAMINER

GRANT II, JEROME

ART UNIT PAPER NUMBER

2626

8

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/432,927

Applicant(s)

NISHIGAKI, JUNJI

Examiner

Jerome Grant II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5 and 7-12 is/are rejected.
- 7) ☒ Claim(s) 3,6 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Detailed Action

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 4, 5 and 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Takebe.

With respect to claim 1, Takebe teaches an image processing system (shown by figure 1), comprising: synchronous type processing means (105 or 102) for carrying out a first image process on image data (sub-image VD or main -image Vdm) that is subject to processing;

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asynchronous type processing means (asynchronous reading and writing via memories 107a, 107b) for carrying out a second image process on image data of a predetermined region of said image data that is the subject of processing and synthesize means 110 for synthesizing an output of said synchronous type processing means and an output of said synchronous type processing means to form one image data, see col. 15, lines 47-55.

With respect to claim 2, Takebe teaches image processing system according to claim 1, wherein said synthesize means comprises: a memory 107a and 109b in which an output of said synchronous type processing means is stored, and replacement means FIFO 108 for replacing a portion (sub-image) of an output of said synchronous type processing means (102, 105) stored in said memory (107a, 107b) with an output of said synchronous type processing means.

With respect to claim 4, Takebe teaches an image processing system(see figure 1) comprising: a first image processor (102) formed of a hardware circuit, and carrying out a first image process on input image data; a second image processor 105 carrying out a second image process on a fragment of said input image data according to a program of predetermined software; and a memory 107a, b and 108 in which image data subjected to said first image process and image data subjected to said second image process are synthesized and stored.

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With respect to claim 5, Takebe teaches the image processing system wherein data of said memory in which image data subjected to the first image process is stored is overwritten by (overwritten by other sub-or image data via 107a,b) subjected to the second image process. See also the FIFO data which is constantly overwritten since it is a read/write type of memory according to col. 16, lines 17-22.

With respect to claim 7, Takebe teaches the software is rewritable. According to Col. 16, lines 35-40, Software is rewritable in that addresses are calculated based upon scale data which is variably determined by an operator or other communication device.

With respect to claim 8, Takebe teaches second image processor detects a region on which the second image process is to be carried out by scanning input image data. Note, second image processor 105 which scans sub-image data in an interlace fashion, i.e., odd fields then even.

With respect to claim 9, Takebe teaches an image processing method comprising the steps of carrying out a first image process (via 102) on input image data through hardware circuit; carrying out a second image process (via circuit 105) on a fragment of the input image data through the software (i.e., sub-image data). Takebe teaches synthesizing image data (via 110) subjected to the first image process with image data subjected to the second image process,

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wherein sequence of said first and second image process is arbitrary. The process are arbitrary in that the data is input independently from the other i.e., asynchronously.

With respect to claim 10, Takebe teaches an image processing method according to claim 9, wherein said step of carrying out the second image process (sub-image synthesis includes the step of detecting a region on which the second image process is to be carried out (line region) by scanning input image data, and carrying out the second image process on the detected region (second process is interlaced scanning on the sub-image).

With respect to claim 11, Takebe teaches an image processing system comprising: a synchronous-type data processing device (102, 105) for carrying out a first image process on image data that is the subject of processing; an asynchronous -type data processor (107a, 107b) for carrying out a second image process on image data of a predetermined region of said image data that is the subject of processing, see col. 15, line 65 - col. 16, line 2. Takebe teaches a data synthesizing device (110) for synthesizing an output of said synchronous-type processing device and an output(selector 104) of said asynchronous-type processor to thereby form on image data (displayed on display 109).

With respect to claim 12, Takebe teaches an image processing system according to claim 11, where the synthesizing device includes: a memory (108) for storing an output of said

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synchronous-type processing device, and wherein said synthesizing device 110 replaces a portion of an output of said synchronous-type processing device stored in said memory with an output of said asynchronous-type processor (via FIFO 108).

2. Claims Objected

Claims 3, 6 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

JEROME GRANT II
PATENT EXAMINER

J. Grant II
